

Prior law relative to oversize and overweight vehicles provided for a penalty of \$100 for each violation of any rule, regulation, directive, or requirement of the secretary of the Dept. of Transportation and Development (DOTD).

Prior law provided penalties for violations of gross weight limits, bridge formula axle spacing requirements, and terms and conditions of special permits set by the secretary of DOTD.

Prior law required payments for penalties to be remitted to DOTD or the Department of Public Safety and Corrections as applicable. Violations to weight limit requirements on parish roads were required to be remitted to the parish public works department.

New law requires all commercial vehicles rated one ton or greater, except automobiles, private passenger pickup trucks, private passenger vans, recreational vehicles, tow trucks unless the tow truck has a gross vehicle weight rating in excess of 26,000 lbs or is hauling or carrying a vehicle which is not exempt from these provisions, buses, and utility vehicles conveying to or from emergency service restoration due to a natural disaster, to stop at DOTD's stationary weight enforcement scales.

New law provides for penalties for vehicles which fail to stop at DOTD's stationary weight enforcement scales as follows:

- (1) Vehicles with a gross weight rating of less than 26,000 lbs shall be fined \$100 for failure to stop. This fine is in addition to any other fines which may be assessed for other violations.
- (2) Vehicles with a gross weight rating of 26,000 pounds or more shall be fined \$2,000 for failure to stop. This fine is in addition to any other fines which may be assessed for other violations.

New law further provides that any vehicle which inadvertently bypasses the scales and returns voluntarily without the assistance of law enforcement shall not be assessed any penalty for bypassing the scales.

New law provides that payments for penalties shall be remitted to DOTD or to the Dept. of Public Safety and Corrections (DPS&C), as applicable. Provides that penalties collected by the DPS&C shall be paid into the Weights and Standards Mobile Police Force Fund. New law provides that payments for penalties imposed by DOTD shall be remitted to DOTD and payments for penalties imposed by the DPS&C shall be remitted to the Transportation Trust Fund.

Effective upon signature of governor (July 1, 1999).

(Amends R.S. 32:388(A),(E), and (F)(1))